

## REMARKS

This is in response to Office Action mailed on May 15, 2012. In the Office Action, claims 15-18 were rejected. With this Amendment, claim 15 are amended. No new matter is added. Claims 15-18 are pending in the application. In light of the foregoing amendments and following remarks, Applicants respectfully request advancement of this application to allowance.

### Interview Summary

Applicants thank Examiner Saltarelli for the courtesy of his correspondence regarding this matter. During the telephone conferences on August 15, 2012, Examiner Saltarelli and Applicants' Attorneys Christopher J. Leonard (Reg. No. 41,940) and Steven F. Owens (Reg. No. 67,522) discussed the Applicants disclosure and the cited art. No agreement was reached.

### Rejections Under 35 U.S.C. § 103

In the Office Action, claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 7,536,705 to Boucher et al. ("Boucher") in view of United States Patent No. 5,585,866 to Miller et al. ("Miller").

Independent claim 15 recites, in part, "encoding, by a plurality of real-time MPEG encoders and an audio encoder at the headend, the plurality of interactive program guide user interfaces to each include an identifier for uniquely identifying each of the plurality of interactive program guide user interfaces such that the encoder produces a MPEG compliant bitstream," "modulating, at a headend, the plurality of encoded interactive program guide user interfaces using quadrature amplitude modulation to produce an interactive program guide stream" and "continuously transmitting the one or more transport streams to a plurality of set top terminals of all subscribers in the broadband content distribution network via an in-band channel of the broadband content distribution network."

*Miller* and *Boucher* fail to disclose, teach or suggest the above limitations. More particularly, *Miller* and *Boucher* fail to disclose encoding by a plurality of real-time MPEG encoders and an audio encoder at the headend or modulating the plurality of encoded interactive program guide user interfaces using quadrature amplitude modulation.

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Amendment AF dated September 17, 2012  
Final Office Action dated May 15, 2012  
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Thus, *Miller* and *Boucher*, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 15, as amended.

Dependent claims 16-18 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claim 15. Further dependent claims 16-18 recite additional novel elements and limitations. Applicants reserve the right to argue independently the patentability of these additional novel aspects. Therefore, Applicants respectfully submit that dependent claims 16-18 are patentable over the cited references.

## CONCLUSION

In view of the foregoing remarks and amendments, Applicants respectfully request reconsideration and the timely allowance of the pending claims.

The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

If a telephone conference would expedite the prosecution of the application, or if there are any issues that remain to be resolved prior to allowance of the claims, Examiner Saltarelli is encouraged to call Steven Owens at 865-380-5988.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,



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